

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

| My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole |
|--|
| inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the  |
| subject matter which is claimed and for which a patent is sought on the invention entitled: NR-CAM GENE, NUCLEIC ACIDS             |
| AND NUCLEIC ACID PRODUCTS FOR THERAPEUTIC AND DIAGNOSTIC USES FOR TUMORS the specification of                                      |
| which was filed on April 27, 1999 as United States Application No. 09/301,380 and was amended on (if applicable).                  |

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other that the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

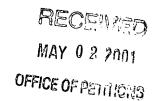
| Country | Application No. | Date of Filing | Priority Claimed Under<br>35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
|         |                 |                | !                                    |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date       |
|-----------------|-------------------|
| 60/083,152      | April 27, 1998    |
| 60/112,098      | December 14, 1998 |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|----------------|--------|
|                 |                |        |





POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) associated with Customer No. 20,350 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. In particular, I hereby appoint the following attorney(s) and or agent(s).

Brian W. Poor, Reg. No. 32,928 Steven W. Parmelee, Reg. No. 31,990 Jeffrey J. King, Reg. No. 38,515 Mark G. Sandbaken, Reg. No. 39,354

Send Correspondence to:

Brian W. Poor

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8<sup>th</sup> Floor
San Francisco, California 94111-3834

Direct Telephone Calls to:
(Name, Reg. No., Telephone No.)
Name:
Brian W. Poor
Reg. No.: 32,928
Telephone: 206-467-9600

Full Name of Last Name: First Name: Middle Name or Initial: **MURPHY** Gerald Inventor 1: State/Foreign Country: Country of Citizenship: City: Residence & Washington **United States** Seattle Citizenship: Post Office Address: City: State/Country: Postal Code: Post Office 1134 23rd Avenue East Seattle Washington 98112 Address: Last Name: First Name: Middle Name or Initial: Full Name of **BOYNTON** Alton L. Inventor 2: State/Foreign Country: Country of Citizenship: City: Residence & Washington **United States** Redmond Citizenship: State/Country: Postal Code: Post Office Address: City: Post Office Washington 98053 2420 274th Avenue N.E. Redmond Address: Middle Name or Initial: Last Name: First Name: Full Name of **SEHGAL** Anil Inventor 3: State/Foreign Country: Country of Citizenship: City: Residence & **United States** Seattle Washington Citizenship: State/Country: Postal Code: Post Office Address: City: Post Office 98133 2104 North 105th Street #H106 Seattle Washington Address:

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| Signature of Inventor 1 Garald P. Murphy, second of Bridgetter Murphy, administration of the state of Murphy | Signature of Inventor 2 | Signature of Inventor 3 |
|--|-------------------------|-------------------------|
| Gerald P. Murphy, deceased Bridgette Murphy, Administratrix the Estate of Gerald P. Murphy                   | Alton L. Boynton        | Anil Sehgal             |
| Date Jan. 9, 2001  | Date 12 - 9 - 00        | Date 12/18/60           |

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OFFICE OF PETITIONS

SE 5005330 v1

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## Nr-CAM GENE, NUCLEIC ACIDS AND NUCLEIC ACID PRODUCTS FOR THERAPEUTIC AND DIAGNOSTIC USES FOR TUMORS

and for which a patent application:

☑ is attached hereto and includes amendment(s) filed on (if applicable)

was filed in the United States on as Application No. (for declaration not accompanying application)

with amendment(s) filed on (if applicable)

■ was filed as PCT international Application No. on April 27, 1999 and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, \$1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| 88       | EARLIEST FOREIGN APPLIC | CATION(S), IF ANY, FILED PRIC | OR TO THE FILING DATE O           | F THE APPLICATION   |
|----------|-------------------------|-------------------------------|-----------------------------------|---------------------|
|          | APPLICATION NUMBER      | COUNTRY                       | DATE OF FILING (day, month, year) | PRIORITY<br>CLAIMED |
| :≓<br>:≛ |                         |                               |                                   | YES □ NO □          |
| . U      |                         |                               |                                   | YES □ NO □          |

Lareby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

| APPLICATION NUMBER | FILING DATE |
|--------------------|-------------|
| ;60/083,152        | 04/27/98    |
| 60/112,098         | 04/27/98    |

Thereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

|                        |             | STATUS   |         |           |
|------------------------|-------------|----------|---------|-----------|
| APPLICATION SERIAL NO. | FILING DATE | PATENTED | PENDING | ABANDONED |
|                        |             |          |         | _         |
|                        |             |          |         |           |

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 32291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), William S. Galliani (Reg. No. 33885), Gary S. Williams (Reg. No. 31066), Mark A. Farley (Reg. No. 33170) and Ann L. Gisolfi (Reg. No. 31956), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hilliview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

(1) NY2 - 954785.1



| SEN  | D CORRESPONDENCE           | PENNIE & EDMONDS LLP<br>1155 Avenue of the America<br>New York, N.Y. 10036-2711 |                               | DIRECT TELEPHONE CALLS<br>PENNIE & EDMONDS LLP DOC<br>(212) 790-9090 |          |
|--|----------------------------|---|-------------------------------|--|----------|
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|  | OF INVENTOR                | Murphy  | Gearald                       | Р.   |          |
|  | RESIDENCE &                | СПУ   | STATE OR FOREIGN COUNTRY      | COUNTRY OF CITIZENSHIP   |          |
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|  | POST OFFICE                | STREET  | СПҮ                           | STATE OR COUNTRY   | ZIP CODE |
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|  | FULL NAME                  | LAST NAME   | FIRST NAME                    | MIDDLE NAME  |          |
| 2  | OF INVENTOR                | Boynton   | Alton                         | L.   |          |
| 0 2  | RESIDENCE &                | СПУ   | STATE OR FOREIGN COUNTRY      | COUNTRY OF CITIZENSHIP   |          |
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| 2<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1<br>1 |                            | Seattle   | Washington                    | India  |          |
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| 4  | RESIDENCE & CITIZENSHIP    | СПУ   | STATE OR FOREIGN COUNTRY      | COUNTRY OF CITIZENSHIP   |          |
| . a a a  | POST OFFICE<br>ADDRESS     | STREET  | СПУ                           | STATE OR COUNTRY   | ZIP CÓDE |
| 13 Table 2   | FULL NAME<br>OF INVENTOR   | LAST NAME   | FIRST NAME                    | MIDDLE NAME  |          |
| 2<br>= 0<br>= 5  | RESIDENCE &<br>CITIZENSHIP | СПУ   | STATE OR FOREIGN COUNTRY      | COUNTRY OF CITIZENSHIP   |          |
|  | POST OFFICE<br>ADDRESS     | STREET  | СПУ                           | STATE OR COUNTRY   | ZIP CODE |
|  | FULL NAME<br>OF INVENTOR   | LAST NAME   | FIRST NAME                    | MIDDLE NAME  |          |
| 2<br>0<br>6  | RESIDENCE &<br>CITIZENSHIP | СПУ   | STATE OR FOREIGN COUNTRY      | COUNTRY OF CITIZENSHIP   |          |
|  | POST OFFICE<br>ADDRESS     | STREET  | СІТҮ                          | STATE OR COUNTRY   | ZIP CODE |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|                           | A COVER THE CHARLES THOR AND | SIGNATURE OF INVENTOR 203 |
|---------------------------|------------------------------|---------------------------|
| SIGNATURE OF INVENTOR 201 | SIGNATURE OF INVENTOR 202    | SIGNATURE OF INVENTOR 203 |
|                           |                              |                           |
|                           |                              |                           |
| Gerald P. Murphy          | Alton L. Boynton             | Anil Sehgal               |
| DATE                      | DATE                         | DATE                      |
|                           |                              |                           |
| SIGNATURE OF INVENTOR 204 | SIGNATURE OF INVENTOR 205    | SIGNATURE OF INVENTOR 206 |
|                           |                              |                           |
| DATE                      | DATE                         | DATE                      |
| DATE                      | DATE                         |                           |
|                           |                              | <u>l</u>                  |

(2) NY2 - 954785.1